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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA)	CASE NO. CR 12-0628 RS
)	
v.)	[PROPOSED] ORDER EXCLUDING TIME FROM
)	OTHERWISE APPLICABLE SPEEDY TRIAL ACT
CURTIS LEE JOHNSON, JR.,)	CALCULATION
)	
Defendant.)	
)	
)	
)	

[PROPOSED] ORDER

The parties appeared before the Court on January 14, 2014. Michael Gaines appeared for the defendant. Assistant U.S. Attorney Andrew M. Scoble appeared on behalf of the government. The parties reported their efforts to resolve the case short of trial and explained that they have identified several interrelated legal and factual issues which bear on the guidelines calculations and which thus materially affect the plea negotiations. The parties requested a pre-plea Presentence Report (Criminal History only), and the defendant submitted a written request to that effect. The parties jointly requested a continuance of the case to February 18, 2014 to allow them to research the appropriate factual and legal issues, and to obtain the benefit of the pre-plea report. The parties agreed in open court that the period from January 14, 2014 through and including February 18, 2014 is properly excluded from the

1 otherwise applicable Speedy Trial Act computation because failure to grant the continuance as requested
2 would deny counsel for the defendant, as well as counsel for the government, the reasonable time
3 necessary for effective preparation, taking into account the exercise of due diligence, within the meaning
4 of 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).


5 Based upon the representations of the parties, and for good cause appearing, THE COURT
6 FINDS THAT the ends of justice served by granting a continuance from January 14, 2014 through and
7 including February 18, 2014 outweigh the best interests of the public and the defendant in a speedy trial,
8 and that failure to grant such a continuance would deny counsel for the defendant as well as counsel for
9 the government the reasonable time necessary for effective preparation, taking into account the exercise
10 of due diligence.

11 Accordingly, THE COURT ORDERS THAT:

- 12 1. This case is continued to 2:30 p.m. on February 18, 2014 for further status.
- 13 2. The period from January 14, 2014 through and including February 18, 2014 is excluded
14 from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) &
15 (B)(iv).

16 IT IS SO ORDERED.

17
18 DATED: 1/15/14


HON. RICHARD SEEBORG
United States District Judge